

**MINUTES**  
**REGULAR MEETING OF THE CITY COUNCIL**  
**CITY OF MEMPHIS**

**February 19, 2008**

**3:30 P.M. SCHEDULED SESSION**

**3:40 P.M. MEETING COMMENCED**

**ROLL CALL:** William Boyd, Joe Brown, Harold Collins, Shea Flinn, Edmund Ford, Jr., Janis Fullilove, Wanda Halbert, Reid Hedgepeth, Myron Lowery, Bill Morrison, Jim Strickland, Barbara Swearengen Ware and Chairman Scott McCormick

**THE MEETING WAS CALLED TO ORDER  
BY SERGEANT-AT-ARMS**

**INVOCATION**

The meeting was opened with prayer by Councilwoman Barbara Swearengen Ware.

**These minutes record the agenda items and the action taken by the Council on such items. The full text of the original of the ordinances, resolutions and supporting documents, including an audio recording of Council's deliberations are filed and maintained in the office of Council Records/Records Management, Room 2B-08. The original ordinances and/or resolutions adopted by the Council shall control in the event of any conflict between the description in these minutes and the original documents, ordinances and/or resolutions.**

**MINUTES**

Approval of the Minutes of the regular meeting of February 19, 2008 with the following motion:

**MOTION:** Item # 27 – Councilman Strickland stated that his motion was not recorded for this item. He did not move on the system due to being on the floor for the presentation. It was properly moved by Morrison.

Item #19 – Clerical error. Corrected to Brown, Flinn and Ford did not cast a vote

**MAIN MOTION:** Strickland  
**SECOND:** Ford

AYES: Boyd, Collins, Ford, Fullilove, Halbert, Lowery, Morrison, Strickland, Ware  
and Chairman McCormick  
Brown, Flinn and Hedgepeth did not cast a vote

**APPROVED**, as amended

**CONSENT AGENDA – Items 1 -16 may be acted upon by one motion: SEE PAGE 2426 FOR ROLL CALL**

1. **ORDINANCE REZONING THE NORTH SIDE OF STATELINE ROAD; +/-125 FEET EAST OF BRIDGE MILL LANE, CONTAINING 5.83 ACRES IN THE AGRICULTURE (AG) DISTRICT, UP FOR F I R S T READING.**

Ordinance No. 5253  
Case No. Z 07-120cc

**APPROVED**, on First reading

2. **ORDINANCE REZONING THE WEST SIDE OF SOUTH WILLETT STREET, 75 – 135 FT. NORTH OF MONROE AVENUE, CONTAINING 6,725 SQ. FT. (0.154 ACRE) IN THE MULTI-FAMILY RESIDENTIAL (R-MH) DISTRICT, UP FOR F I R S T READING.**

Ordinance No. 5254  
Case No. Z 07-121

**APPROVED**, on First reading

3. **ORDINANCE REZONING THE SOUTHWEST CORNER OF NEW ALLEN ROAD AND HAWKINS MILL ROAD, CONTAINING 198.4 ACRES IN THE SINGLE FAMILY RESIDENTIAL (R-S6) & MULTIPLE DWELLING RESIDENTIAL (R-ML) DISTRICT, UP FOR S E C O N D READING.**

Ordinance No. 5252  
Case No. Z 07-119

**APPROVED**, on Second reading

4. **RESOLUTION ACCEPTING AVIATION FACILITIES PLANNED DEVELOPMENT, DRAINAGE AND SEWER IMPROVEMENTS, AND AUTHORIZING RELEASE OF BOND.**

(Contract No. CR- 4914)

Resolution accepts completion of the improvements and the dedication of public streets and easements as shown on the final plat located on the northwest corner of Shelby Drive and Swinnea Road. The standard improvement contract was approved on December 21, 2004. Resolution also authorizes the release of the performance bond in the amount of \$4,750,000.00.

City Engineer recommends approval

**APPROVED****5. RESOLUTION ACCEPTING HICKORY HILL ROAD SEWER EXTENSION, AND AUTHORIZING RELEASE OF BOND.**

(Contract No. CR-4314)

Resolution accepts completion of the improvements and the dedication of public streets and easements as shown on the final plat located on Hickory Hill, 2227.95' south of Shelby Drive in the NS-9 Sewer District. The standard improvement contract was approved on May 19, 1998. Resolution also authorizes the release of the performance bond in the amount of \$32,800.00.

City Engineer recommends approval

**APPROVED****6. RESOLUTION APPROVING FINAL PLAT OF LONGCREST SUBDIVISION.**

Case No. S 07-024

Resolution approves the final plat located on the southwest corner of Longcrest Road and Holmes Road. Cost of the required improvements to be borne by the Developer.

City Engineer recommends approval

**APPROVED****7. RESOLUTION ACCEPTING LUCY ALMONETTE SUBDIVISION, RESUB. OF LOTS 101 & 102, AND AUTHORIZING RELEASE OF BOND.**Case No. S 94-053  
(Contract No. CR-3937)

Resolution accepts completion of the improvements and the dedication of public streets and easements as shown on the final plat located on the northwest corner of Monroe Avenue and East Parkway South. The standard improvement contract was approved on May 16, 1995. Resolution also authorizes the release of the Certificate of Deposit in the amount of \$8,700.00.

City Engineer recommends approval

**APPROVED****8. RESOLUTION ACCEPTING PLEASANT HILL ROAD WIDENING, AND AUTHORIZING RELEASE OF BOND.**

(Contract No. CR-4424)

Resolution accepts completion of the improvements and the dedication of public streets and easements as shown on the final plat located at the intersection of Pleasant Hill Road and Holmes Road. The standard improvement contract was approved on May 4, 1999. Resolution also authorizes the release of the performance bond in the amount of \$50,000.00. This action is subject to County approval.

City Engineer recommends approval

**APPROVED**

9. **RESOLUTION ACCEPTING WEISE COMMERCIAL – INDUSTRIAL PD, AMENDED – PHASE 4, AREA A, AND AUTHORIZING RELEASE OF BOND.**

Case No. PD 98-355cc  
(Contract No. CR-4944)

Resolution accepts completion of the improvements and the dedication of public streets and easements as shown on the final plat located on the south side of Holmes Road, 1800 feet east of Getwell Road. The standard improvement contract was approved on May 17, 2005. Resolution also authorizes the release of the cashier's check in the amount of \$194,000.00.

City Engineer recommends approval

**APPROVED**

10. **RESOLUTION APPROVING FINAL PLAT OF APRILWOODS WEST, PHASE II.**

Case No. UV 06-14  
Contract No. CR-5104

Resolution approving the final plat located on Bickford Avenue, east of Fifth Street. Cost of the required improvements to be borne by the Developer. Resolution also authorizes the proper officials to execute the attached standard improvement contract.

City Engineer recommends approval

**APPROVED**

11. **RESOLUTION APPROVING FINAL PLAT OF HUTTON SUBDIVISION.**

Case No. S 07-027

Resolution approves the final plat located on the Westside of I-55, north of Shelby Drive. Cost of the required improvements to be borne by the Developer.

City Engineer recommends approval

**APPROVED**

12. **RESOLUTION ACCEPTING MENDENHALL DISTRIBUTION CENTER PLANNED DEVELOPMENT, PH. 2 AND AUTHORIZING RELEASE OF BOND.**

Case No. PD 93-303cc  
(Contract No. CR-4351)

Resolution accepts completion of the improvements and the dedication of public streets and easements as shown on the final plat located on the west side of Clarke Road, north of Shelby Drive. The standard improvement contract was approved on August 8, 1998. Resolution also authorizes the release of the performance bond in the amount of \$155,100.00. This action is subject to County approval.

City Engineer recommends approval

**APPROVED**

13. **RESOLUTION ACCEPTING PINNACLE POINT SUBDIVISION, PHASE 1, AND AUTHORIZING RELEASE OF BOND.**

Case No. S 98-043cc  
(Contract No. CR-4476)

Resolution accepts completion of the improvements and the dedication of public streets and easements as shown on the final plat located on the south side of Shelby Drive, 240.90 feet + east of Germantown Road. The standard improvement contract was approved on September 7, 1999. Resolution also authorizes the release of the bonds in the amount of \$11,000.00, \$168,000.00 and the letter of credit in the amount of \$26,000.00. This action is subject to County approval.

City Engineer recommends approval

**APPROVED**

14. **RESOLUTION ACCEPTING RALEIGH COMMONS PD, PH. 1, AND AUTHORIZING RELEASE OF BOND.**

Case No. PD 97-305cc  
(Contract No. CR-4288AM)

Resolution accepts completion of the improvements and the dedication of public streets and easements as shown on the final plat located on the south side of Raleigh Commons Drive 493.12 feet ± northwest of Austin Peay Highway. The standard improvement contract was approved on June 2, 1998. Resolution also authorizes the release of the letter of credit in the amount of \$144,000.00. This action is subject to County approval.

City Engineer recommends approval

**APPROVED**

15. **NOTATION FROM LAND USE CONTROL BOARD THAT THE FOLLOWING CASE WAS HEARD AND RECOMMENDATION MADE REQUESTING A DATE OF PUBLIC HEARING:**

A. Case No. PD 07-341 – Southern Steel P.D.

Public Hearing set for March 4, 2008

16. **RESOLUTION APPROVING TEMPORARY STRUCTURES ON THE STREETS APRIL 26 – MAY 25, 2008 FROM 12:01 A.M. UNTIL 11:59 P.M. FOR THE MEMPHIS IN MAY INTERNATIONAL FESTIVAL, INC.**

**APPROVED**

**ROLL CALL CONSENT ITEMS**

MOTION: Halbert

SECOND: Ford

AYES: Boyd, Brown, Collins, Flinn, Ford, Fullilove, Halbert, Hedgepeth, Lowery, Morrison, Strickland, Ware and Chairman McCormick

**APPROVED**

48. **RESOLUTION CONGRATULATING MARK STANSBURY, SR. ON RECEIVING THE ARTHUR S. HOLMON LIFETIME ACHIEVEMENT AWARD.**

MOTION: Brown

SECOND: Morrison

**APPROVED**, by unanimous voice vote

47. **RESOLUTION THANKING RADIO PERSONALITIES MIKE EVANS, PRESCOTT AND JANEEN GORDON FOR KEEPING RADIO LISTENERS LAUGHING.**

MOTION: Fullilove

SECOND: Ware

**APPROVED**, by unanimous voice vote

**MLGW FISCAL CONSENT – Items 21-33 may be acted upon by one motion:**

17. **RESOLUTION APPROVING CHANGE NO. 1 TO CONTRACT NO. 11217, TEMPORARY SERVICES, WITH MANPOWER, INC. IN AN ESTIMATED FUNDED AMOUNT OF \$230,000.00. (THIS RENEWS THE CONTRACT FOR THE SECOND TERM, JANUARY 1, 2008 THROUGH DECEMBER 31, 2008, WITH NO INCREASE IN RATES, TO PROVIDE SHORT-TERM TEMPORARY ASSIGNMENTS OF IDENTIFIED SKILLS FOR CLERICAL POSITIONS.)** (Held from 2/5)

Held until March 4, 2008

18. **RESOLUTION APPROVING CHANGE NO. 1 TO CONTRACT NO. 11220, TEMPORARY SERVICES, WITH KELLY SERVICES, INC. IN AN ESTIMATED FUNDED AMOUNT OF \$595,000.00. (THIS RENEWS THE CONTRACT FOR THE SECOND TERM, JANUARY 1, 2008 THROUGH DECEMBER 31, 2008, WITH NO INCREASE IN RATES, TO PROVIDE SHORT-TERM TEMPORARY ASSIGNMENTS OF IDENTIFIED SKILLS FOR GENERAL LABORER POSITIONS.)** (Held from 2/5)

Held until March 4, 2008

19. **RESOLUTION APPROVING A NEW RATE SCHEDULE FOR THE LAW FIRM OF MILLER, BALIS & O'NEIL, P.C. EFFECTIVE JANUARY 1, 2008.** (Held from 2/5)

Held until March 4, 2008

20. **RESOLUTION EMPLOYING THE LAW FIRM OF BASS, BERRY & SIMS ON AN AS-NEEDED BASIS AT AGREED UPON HOURLY RATES, RETROACTIVE TO JANUARY 1, 2005.** (Held from 2/5)

Held until March 4, 2008

21. **RESOLUTION AWARDED CONTRACT NO. 11214, INFORMATION SERVICES SUPPORT, TO DELTA CONSULTING IN THE FUNDED AMOUNT OF \$287,345.00, COVERING THE PERIOD 4/1/08 THROUGH 12/31/08.**

**APPROVED**

22. **RESOLUTION AWARDED CONTRACT NO. 11266, INFORMATION SERVICES SUPPORT, TO ZYCRON IN THE FUNDED AMOUNT OF \$287,345.00, COVERING THE PERIOD 4/1/08 THROUGH 12/31/08.**

**APPROVED**

23. **RESOLUTION AWARDED CONTRACT NO. 11267, INFORMATION SERVICES SUPPORT, TO STRAGISTICS TECHNOLOGY IN THE FUNDED AMOUNT OF \$287,345.00, COVERING THE PERIOD 4/1/08 THROUGH 12/31/08.**

**APPROVED**

24. **RESOLUTION AWARDED CONTRACT NO. 11268, INFORMATION SERVICES SUPPORT, TO NEXTECH SOLUTIONS IN THE FUNDED AMOUNT OF \$451,213.00, COVERING THE PERIOD 4/1/08 THROUGH 12/31/08.**

**APPROVED**

25. **RESOLUTION AWARDED CONTRACT NO. 11269, INFORMATION SERVICES SUPPORT, TO SOFTWARE RESOURCE CONSULTANTS IN THE FUNDED AMOUNT OF \$287,345.00, COVERING THE PERIOD 4/1/08 THROUGH 12/31/08.**

**APPROVED**

26. **RESOLUTION AWARDED CONTRACT NO. 11270, INFORMATION SERVICES SUPPORT, TO COOK SYSTEMS INTERNATIONAL IN THE FUNDED AMOUNT OF \$287,345.00, COVERING THE PERIOD 4/1/08 THROUGH 12/31/08.**

**APPROVED**

27. **RESOLUTION AWARDED CONTRACT NO. 11271, INFORMATION SERVICES SUPPORT, TO TEK SYSTEMS IN THE FUNDED AMOUNT OF \$648,546.00, COVERING THE PERIOD 4/1/08 THROUGH 12/31/08.**

**APPROVED**

28. **RESOLUTION AWARDED CONTRACT NO. 11272, INFORMATION SERVICES SUPPORT, TO CIBER INCORPORATED IN THE FUNDED AMOUNT OF \$690,667.00, COVERING THE PERIOD 4/1/08 THROUGH 12/31/08.**

**APPROVED**

29. **RESOLUTION APPROVING CHANGE NO. 3 TO CONTRACT NO. 10993, DIAL TONE SERVICES, WITH PAETEC IN THE FUNDED AMOUNT OF \$81,600.00. (THIS RENEWS THE CONTRACT FOR THE FIRST TERM, 4/1/08 TO 3/31/09, AND CHANGES THE NAME FROM US LEC TO PAETEC.)**

**APPROVED**

30. **RESOLUTION APPROVING CHANGE NO. 1 TO CONTRACT NO. 11114, DIAL TONE SERVICES, WITH PAETEC, IN THE FUNDED AMOUNT OF \$30,720.00. (THIS RENEWS THE CONTRACT FOR THE FIRST TERM, 4/1/08 TO 3/31/09, AND CHANGES THE NAME FROM US LEC TO PAETEC.)**

**APPROVED**



**31. RESOLUTION AWARDING CONTRACT FOR GAS METERS, AS FOLLOWS:**

Elster American Meter Company .....	\$514,129.00
Romet International Ltd.....	<u>281,434.00</u>
Total	\$795,563.00

**APPROVED****32. RESOLUTION AWARDING CONTRACT FOR ACSR WIRE TO HD SUPPLY UTILITIES (NEHRING), IN THE AMOUNT OF \$486,000.00.****APPROVED****33. RESOLUTION AWARDING CONTRACT FOR SALISBURY RUBBER GLOVES TO HD SUPPLY UTILITIES, LTD. IN THE AMOUNT OF \$28,958.00.****APPROVED****MLGW ROLL CALL CONSENT ITEMS**

MOTION: Ware  
SECOND: Ford  
AYES: Boyd, Collins, Flinn, Ford, Fullilove, Halbert, Hedgepeth, Lowery, Morrison, Strickland, Ware and Chairman McCormick  
Brown did not cast a vote

**APPROVED**, with the exception of Items 17-20, which are being held until March 4, 2008

**34. APPOINTMENTS****MEMPHIS AREA TRANSIT AUTHORITY****Appointments**

Marion L. McClendon  
Reo Dudley Pruiett, Ed. D.

**Reappointments**

E. Ray Holt  
Cliffie Pugh

**MEMPHIS AND SHELBY COUNTY FILM COMMISSION****Reappointment**

Susan G. Murrmann-Price

**MEMPHIS LIGHT, GAS AND WATER COMMISSION****Appointment**

Darrell T. Cobbins

**Reappointments**

V. Lynn Evans  
Rick Masson

**METRO ALARM REVIEW BOARD****Appointment**

Clyde R. Venson

MOTION: Flinn  
SECOND: Morrison  
AYES: Boyd, Collins, Flinn, Ford, Fullilove, Halbert, Hedgepeth, Lowery, Morrison,  
Strickland, Ware and Chairman McCormick  
Brown did not cast a vote

**APPROVED**

36. **RESOLUTION APPROPRIATING \$18,663.00 IN G.O. BONDS FROM THE FISCAL YEAR 2008 CIP BUDGET TO PURCHASE PRODUCT LIABILITY INSURANCE FOR “LIFESHIRTS” AND ASSOCIATED EQUIPMENT FOR THE DIVISION OF FIRE SERVICES FOR A TOTAL APPROPRIATION OF \$18,663.00.**

MOTION: Hedgepeth  
SECOND: Ware  
AYES: Boyd, Brown, Collins, Ford, Fullilove, Halbert, Hedgepeth, Lowery, Morrison,  
Strickland, Ware and Chairman McCormick  
Flinn did not cast a vote

**APPROVED**

37. **RESOLUTION APPROPRIATING \$526,000.00. IN G.O. BONDS FROM THE FISCAL YEAR 2008 CIP BUDGET TO PURCHASE THE REPAIR TO THE SEVERELY DAMAGE PUMPER AND AERIAL TRUCK FOR THE DIVISION OF FIRE SERVICES FOR A TOTAL APPROPRIATION OF \$526,000.00.**

MOTION: Hedgepeth  
SECOND: Ware

AYES: Boyd, Brown, Collins, Flinn, Ford, Fullilove, Halbert, Hedgepeth, Lowery, Morrison, Strickland, Ware and Chairman McCormick

**APPROVED**

35. **ORDINANCE AMENDING CHAPTER 21, ARTICLE VI, SECTION 237 OF THE CODE OF ORDINANCES TO PROHIBIT MINORS SOLICITING FROM RIGHT OF WAYS, UP FOR T H I R D AND F I N A L READING.** (Held from 1/8; 1/22;2/5)  
Ordinance No. 5248

MOTION: Morrison

SECOND: Boyd

AYES: Boyd, Collins, Flinn, Ford, Halbert, Hedgepeth, Lowery, Morrison, Strickland, Ware and Chairman McCormick

NAY: Fullilove  
Brown did not cast a vote

**APPROVED**, as amended in Executive Session

38. **RESOLUTION AMENDING THE FY2008 COMMUNITY DEVELOPMENT BLOCK GRANT BUDGET ADMINISTRATION BY HCD, BY TRANSFERRING A PREVIOUS APPROPRIATION OF \$1,200,000.00 FUNDED BY FEDERAL CDBG DOLLARS FROM GRANT CIP #CD90009, AWARD 12305, ACCOUNT 059600 TO GRANTS CIP PROJECT #CD90014, AWARD 12305, ACCOUNT 059600 FOR INFRASTRUCTURE RELATED EXPENSES ASSOCIATED WITH MHA-UNIVERSITY PLACE/LAMAR TERRACE.**

MOTION: Ford

SECOND: Fullilove

AYES: Boyd, Brown, Collins, Flinn, Ford, Fullilove, Halbert, Hedgepeth, Lowery, Morrison, Strickland, Ware and Chairman McCormick

**APPROVED**

39. **RESOLUTION RATIFYING TRANSFER OF FUNDS IN THE AMOUNT OF \$15,065,197.00 FROM THE MLGW COMMON FUND TO THE MLGW OPEB TRUST, IN ORDER TO MEET 2007 FUNDING REQUIREMENTS.**

MOTION: Ware

SECOND: Flinn

AYES: Boyd, Brown, Collins, Flinn, Ford, Fullilove, Halbert, Hedgepeth, Lowery, Morrison, Strickland, Ware and Chairman McCormick

**APPROVED**

40. **RESOLUTION APPROVING AMENDMENT TO THE MLGW RETIREMENT AND PENSION PLAN TO INCLUDE A BUY-BACK OPTION FOR ELIGIBLE EMPLOYEES TO PURCHASE PRIOR DIVISION SERVICE TIME UNDER CERTAIN LIMITED CONDITIONS. THIS AMENDMENT DELETES THE LANGUAGE HIS ATTAINMENT OF NORMAL RETIREMENT AGE AND ADDS THE LANGUAGE HIS/HER BENEFIT COMMENCEMENT DATE TO ARTICLE II, ELIGIBILITY, SECTION 2.2 (A) (II); AND DELETES THE LANGUAGE ATTAINMENT OF NORMAL RETIREMENT AGE AND ADDS THE LANGUAGE BENEFIT COMMENCEMENT DATE TO ARTICLE II, ELIGIBILITY, SECTION 2.2 (B) (III) AND (C).**

MOTION: Ware  
SECOND: Hedgepeth  
AYES: Brown, Collins, Flinn, Ford, Fullilove, Halbert, Hedgepeth, Lowery, Morrison,  
Ware and Chairman McCormick  
Boyd and Strickland did not cast a vote

**APPROVED**

42. **RESOLUTION APPROVING A USE VARIANCE LOCATED ON THE SOUTH SIDE OF FIELDS ROAD; +/-218.64 FEET WEST OF OSCEOLA ROAD, CONTAINING 1.26 ACRES.**

Case No. UV 07-13

Applicant: Robert L. Hale  
Self –Tucker Architects – Representative

Request: Use variation to allow motor vehicle service

LUCB recommendation: APPROVAL, with conditions

OPD recommendation: REJECTION

MOTION: Ford – Delay for two weeks

**Without Objection**, Item delayed until March 4, 2008

41. **RESOLUTION BEGINNING 2,300 FEET SOUTH OF THE INTERSECTION OF SHELBY DRIVE AND HICKORY HILL ROAD AND 1,550 FEET EAST OF THE RIGHT-OF-WAY LINE OF HICKORY HILL ROAD.**

Case No. SUP 07-226

Applicant: AAA Cooper Transportation  
ETI Corporation – Representative

Request: Truck Terminal (expansion of an existing use onto this site)

LUCB and OPD recommendation: APPROVAL, with conditions

**No Opposition at LUCB; No Public Hearing Required**

MOTION: Lowery  
SECOND: Boyd  
AYES: Boyd, Brown, Collins, Flinn, Ford, Fullilove, Halbert, Lowery, Morrison,  
Strickland, Ware and Chairman McCormick  
Hedgepeth did not cast a vote

**APPROVED**

43. **RESOLUTION APPROVING A SUP HOTEL WAIVER FOR COURT STREET INN, LOCATED AT 22 N. THIRD STREET. (FORMER HOWARD JOHNSON)**

MOTION: Lowery  
SECOND: Boyd  
AYES: Boyd, Brown, Collins, Flinn, Ford, Fullilove, Halbert, Hedgepeth, Lowery,  
Morrison, Ware and Chairman McCormick  
Strickland recused

**APPROVED**

44. **RESOLUTION APPROVING A PLANNED DEVELOPMENT LOCATED ON THE NORTHWEST CORNER OF BILLY MAHER ROAD AND EGYPT CENTRAL ROAD, CONTAINING 8.00 ACRES IN THE AGRICULTURAL (AG) DISTRICT.**

Case No. PD 07-327cc

Applicant: St. Elisabeth's Episcopal Church  
ETI Corporation – Ralph Smith - Representative

Request: A mixed use planned development containing eleven (11) single family residential lots (minimum lot size = 10,527 square feet), commercial and office space

LUCB and OPD recommendation: APPROVAL, with conditions

MOTION: Lowery  
SECOND: Morrison  
AYES: Boyd, Brown, Collins, Flinn, Ford, Fullilove, Halbert, Hedgepeth, Lowery,  
Morrison, Strickland, Ware and Chairman McCormick

**APPROVED**

45. **RESOLUTION APPROVING A SPECIAL USE PERMIT LOCATED ON THE SOUTHWEST CORNER OF FIRE ROAD AND OK ROBERTSON ROAD, CONTAINING 47.08 ACRES IN THE AGRICULTURAL (AG) DISTRICT.**

Case No. SUP 07-209cc

Applicant: New Tower LLC  
S R Consulting (Cindy Reaves) – Representative

Request: Cellular Tower – Maximum 180 Feet

LUCB and OPD recommendation: APPROVAL, with conditions

MOTION: Lowery

SECOND: Morrison

AYES: Boyd, Brown, Collins, Ford, Fullilove, Hedgepeth, Lowery, Morrison, Strickland, Ware and Chairman McCormick  
Flinn recused  
Halbert did not cast a vote

**APPROVED**

46. **RESOLUTION TO EXEMPT CERTAIN CITY OF MEMPHIS EMPLOYEES WHOSE DUTIES REQUIRE THEM TO PERFORM SERVICES ON BEHALF OF THE CITY OUTSIDE OF THE TERRITORIAL LIMITS OF THE CITY OF MEMPHIS.**

Friendly Amendment: 1) 2 hour distance reduced to 1 hour 2) Residence of Memphis receive preferred, so if we are at a class in the Police Academy and there's one slot left and two people applying for it, the Memphis resident gets it and 3) Require emergency personnel that this covers to report back to us one year from now to tell us if this has been effective in helping them with their hiring goals

MOTION: Morrison

Councilman Strickland accepted this as a friendly amendment

MAIN MOTION: Strickland

SECOND: Morrison

AYES: Boyd, Flinn, Hedgepeth, Morrison, Strickland and Chairman McCormick

NAYS: Brown, Collins, Ford, Fullilove, Halbert, Lowery and Ware

**FAILED**

**INTRODUCTION OF ITEMS ON MATTERS BY THE GENERAL PUBLIC:**

Chairman McCormick recognized the following persons who spoke from the audience:

Walter Broady, 4256 Ledbetter Cove, Mphs, TN 38109  
Kenric Duncan, 5081 LeChateau Cove, Mphs, TN 38125  
Greg Ericson, 914 River Park Drive, Mphs, TN 38103  
Brad Shelton, 4827 Calhoun, Sherman Oaks, CA 91423

**ADJOURNED MEETING AT 6:25 P.M.**

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Upon statement of the Chairman, without objection, the meeting was adjourned, subject to the call of the Chairman.

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C H A I R M A N

Attest:

\_\_\_\_\_  
Deputy Comptroller/Council Records